STATEMENT OF

MARCUS PEACOCK

DEPUTY ADMINISTRATOR

U.S. ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE

U.S. SENATE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

October 6, 2005

Introduction

Good morning, Mr. Chairman and members of the Committee. My name is Marcus Peacock and I serve as the Deputy Administrator at the U.S. Environmental Protection Agency (EPA). On September 6th, the Administrator formally appointed me to lead the coordination of the Agency's response activities for Hurricane Katrina and I appreciate the opportunity to provide you today with an update on EPA's response.

Our hearts go out to the people of the Gulf region, and we share with you an urgent sense of duty to help restore the communities affected by Hurricane Katrina – and most recently by Hurricane Rita. Over the past month, natural disasters have left their mark on the Gulf region; the loss of life and destruction is staggering. The magnitude of Hurricane Katrina will require sustained, long-term coordination across all federal agencies and with the affected state and local governments. My testimony today will provide you with an overview of EPA's role and

activities in the affected Gulf region, our impressive coordination with federal, state and local partners and a snapshot of our primary environmental concerns.

Early Response for Hurricane Katrina

First, I want to briefly touch on EPA's early response to Hurricane Katrina. Beginning on August 25th, EPA pre-deployed personnel to the FEMA National Response Coordination Center and sent On-Scene Coordinators to the Florida, Louisiana, Alabama and Mississippi Emergency Operations Centers before Hurricane Katrina made landfall. The On-Scene Coordinator (OSC) is the federal official responsible for monitoring or directing responses to all oil spills and hazardous substance releases reported to the federal government. We sent additional personnel to the affected areas as soon as travel into the region was possible. In anticipation of Hurricane Rita, EPA also deployed response experts to the multi-agency Regional Response Coordination Center in Austin, TX on September 20th. The number of EPA staff and contractors currently assisting with recovery efforts is more than 1,100 in the affected Gulf region.

When EPA personnel arrived in New Orleans, it was clear that saving lives was the first priority, and EPA joined other federal, state, and local responders in urgent rescue needs, putting over sixty EPA watercraft otherwise used for environmental monitoring to work as search and rescue vessels. Our field staff and contractors -- mostly environmental experts equipped to address oil and hazardous substances releases -- joined the fire fighters, police, and other first responders and rescued nearly 800 people in Louisiana.

EPA Role in Federal Response

After helping with urgent rescue needs, EPA turned its attention to its primary responsibilities under FEMA's National Response Plan. EPA is the lead federal agency for Emergency Support Function (ESF) #10, which addresses oil and hazardous materials, and works with other agencies to provide support for a number of other Emergency Support Functions, including ESF #3, which addresses Public Works and Engineering. Specifically, our responsibilities include preventing, minimizing, or mitigating threats to public health, welfare, or the environment caused by the actual or potential releases of hazardous materials; testing the quality of flood waters, sediments, and air; and assisting with the restoration of the drinking and waste water infrastructure. Also under ESF #3, the Agency anticipates a growing role working with the U.S. Army Corps of Engineers (USACE) to address final disposition of the large volumes of debris from homes, buildings and other structures damaged by Hurricane Katrina. EPA, in coordination with the States, is providing information to both workers and the public about test results, as well as assisting communities with debris disposal and hazardous waste issues.

Debris Management and Disposal

The volume of debris left behind by Hurricane Katrina is huge. EPA is working closely with other federal agencies (particularly the US Army Corps of Engineers), state agencies, and local governments to facilitate the collection, segregation, and management of household hazardous waste, containers, and the larger debris.

To date, we have provided guidance on: identifying electrical equipment that may contain PCBs; marking and storage of electrical equipment that may contain PCBs; disposal of electrical equipment that may contain PCBs; and handling and disposal of debris containing asbestos. EPA has also provided the affected states with guidance on burning debris. EPA personnel continue to provide site-specific technical assistance in the disposal of hazardous waste and a wide array of waste management debris left behind by the storm.

Drinking Water and Waste Water Infrastructure

Many drinking water and wastewater systems in the three states were adversely affected by Hurricanes Katrina and Rita. It is a high priority of the states and EPA to re-establish operations at these facilities.

Information received by EPA from state drinking water programs as of October 4th, indicated that 84% of the 3,200 water utilities in affected areas of Alabama, Louisiana and Mississippi are operating. Another 8%, were operational, but under a boil water advisory. Four percent of the utilities, or 131 systems, were not operating and we estimate that those systems served about 122,000 people prior to the hurricane. Louisiana is still trying to assess the status of an additional 153 systems which have been unreachable and are probably not operating.

The States also indicated that as of October 4th, about 96% of the 730 wastewater facilities in the affected areas of Louisiana, Mississippi and Alabama were operational. Of the remaining 4% of systems, 16 systems normally serving approximately 530,000 people were not operating and we are awaiting further information on the status of 11 more systems.

In addition to these public systems, there are many people living in areas served by private wells and septic/decentralized systems. The Louisiana Department of Health and Hospitals has

begun to distribute water testing kits in affected parishes in Louisiana. EPA's mobile laboratories and regional labs in Mississippi and Louisiana are also available to provide on-going water testing capabilities. To date, EPA's mobile lab located in Biloxi, MS has supported over 300 private drinking water well samples for local residences.

Oil Spills and Hazardous Releases

There are hundreds of chemical and petrochemical facilities as well as other sites of potential concern that are being inventoried and assessed. EPA and the United States Coast Guard (USCG) are working together to address oil and hazardous material releases reported to the National Response Center or otherwise observed by our emergency responders. As of October 3rd, EPA and the USCG have conducted more than 130 emergency response actions as a request of reported incidents. Of these, there were five major oil spills in the New Orleans area resulting in releases of over 8 million gallons.

Superfund Sites

There are twenty-four Superfund sites located in the region affected by Hurricane Katrina. As indicated on the map of the impacted areas, there are fifteen National Priority List (NPL) sites in Louisiana, three in Mississippi, and six in Alabama that were potentially affected. Also, Hurricane Rita potentially affected an additional two sites in Louisiana and 28 sites in Texas for a total of 54 NPL sites.

Working together with state health and environmental agencies, EPA has conducted initial assessments of each of these sites**.** In many cases, these sites were not flooded and did not sustain significant damage. However, we are continuing our assessments and, where necessary,

are conducting environmental sampling to determine any impacts. To date, sampling has been conducted at 9 sites in Louisiana and 12 sites in Texas and is ongoing at other sites. The data is currently being evaluated.

Sediment in New Orleans

As flood waters in New Orleans again recede, we are analyzing the sediment left behind. We are conducting biological and chemical testing, specifically for volatile organic compounds, semi-volatile organic compounds, metals, PCBs, pesticides, and total petroleum hydrocarbons. Sediment samples collected by EPA indicate that most sediments are contaminated with bacteria and fuel oils. Human health risks may therefore exist from unprotected contact with sediment deposited from receding flood waters and exposure to sediment should therefore be avoided if possible. E. coli was detected in sediment samples, which implies the presence of fecal contamination. Some of the semi-volatile organic compounds, common to diesel and fuel oils, were also detected at very elevated levels. The levels of metals detected thus far have been below levels that would be expected to produce immediate adverse health effects. Sediment sampling occurred in the flooded areas of New Orleans and is near completion.

Flood Water

In the immediate aftermath of Katrina, the potential exposure or contact by residents and emergency response personnel to contaminated flood waters was among our leading concerns. EPA's initial plans to collect water samples in the New Orleans flood zone were set aside to assist in rescue operations, and were further delayed by limited access due to security concerns. Nonetheless, EPA, in close coordination with the Louisiana Department of Environmental Quality, began water sampling on

September 3rd, and while we continue to conduct biological and chemical testing of the flood waters, sampling is near completion.

The flood waters continue to be analyzed for over 100 chemical priority pollutants as well as for bacteria. Results to date indicate that the flood water has high levels of E. coli, and that some locations tested had lead levels exceeding the EPA drinking water action levels. Arsenic, Barium, Thalium, Chromium, Benzene, Selenium, and Cadmium were detected in some samples at levels that exceeded EPA drinking water maximum contaminant levels. Although other contaminants were detected, none have been at levels that would pose an immediate risk to human health. Throughout this process, EPA has taken great steps to ensure scientific accuracy. EPA solicited the assistance the Science Advisory Board to review the flood water sampling plan, and EPA and CDC have routinely conducted a thorough data review, and interpreted the data for potential human health affects.

Water Quality

EPA is working closely with its federal and state partners to mitigate environmental impacts to Lake Pontchartrain caused by the flood waters. As of October 3rd, the Corps continues un-watering operations and skimming booms are deployed to remove oil and debris from water prior to pumping. After pumping, additional booms are being deployed in the canals leading to the Lake to further reduce oil, debris, and solids. Aerators are also being used in the canals to raise the dissolved oxygen levels in the water prior to outfall to Lake Pontchartrain.

Contaminated flood waters and sediment may adversely impact coastal aquatic resources. As such, EPA and USACE are actively evaluating options for directing the floodwaters. In

addition, EPA is coordinating water quality monitoring efforts with USGS, NOAA and our state partners in the Mississippi Sound and the Gulf of Mexico. The poster behind me reflects the coordinated post-Hurricane plans to monitor water quality in the Gulf of Mexico.

Air Monitoring

Air monitoring networks normally in place for monitoring particulate matter, ozone, sulfur dioxide, oxides of nitrogen, and carbon monoxide under the Clean Air Act were mostly destroyed in New Orleans and damaged and disrupted in coastal Mississippi. EPA is working to restore monitoring systems in those regions, as well as to deploy new monitors designed specifically to address potential air quality impacts during the recovery from Hurricane Katrina. For instance, as sediments from the floodwaters dry, EPA has conducted air screening sampling with special monitors to assess potential inhalation risks from particulates.

Specific to New Orleans, EPA, in coordination with our government partners in Louisiana, makes daily tactical decisions regarding air monitoring needs and works with an agency-wide team of air monitoring professionals to address both emerging and source or location specific issues as well as longer term regional air quality issues.

EPA has a number of tools to measure air quality. These include DataRam 400, personal air monitoring devices, as well as use of a remote sensing aircraft known as ASPECT to locate chemical spills that needed emergency response to protect both water and air quality. EPA's environmental surveillance aircraft was in operation during the early days of the emergency, and again after Hurricane Rita passed through the region.

EPA's real-time mobile laboratory – the Trace Atmospheric Gas Analyzer (TAGA) – is sampling air quality in the New Orleans area. Initial screening results from the TAGA represent the beginning of extensive sampling efforts. As this is a dynamic situation, general conclusions should not be made regarding air safety based on results from snapshots of data.

EPA and the affected states will continue to monitor for potential inhalation risks and have plans to enhance their temporary monitoring networks in the coming weeks to monitor and evaluate the air impacts of recovery activities including the burning of debris.

Reoccupation of New Orleans

EPA and CDC formed a joint task force to advise local and state officials of the potential health and environmental risks associated with returning to the City of New Orleans. Their report, titled Environmental Health Needs and Habitability Assessment, was issued on September 17th and identifies a number of challenges and critical issues for consideration prior to the reoccupation of New Orleans. The task force is now incorporated into the Federal New Orleans Reoccupation Zip Code Assessment Group (Zip Code Assessment Group), which will provide information on a broad range of issues, ranging from infrastructure to health issues. Their recommendations will assist State and Local officials in their decisions regarding when to allow residents to reoccupy the city. As part of this larger group, EPA will continue to work to identify potential health and environmental risks associated with returning to the city based on the Agency's ongoing efforts to assess the quality of the air, water and sediment.

Fuel Waivers

EPA, in conjunction with the Department of Energy, responded quickly to address disruptions to the fuel supply that have occurred due to the damage to refinery and pipeline infrastructure in the Gulf Region. To increase the supply of fuel and minimize potential supply disruptions, the Agency has issued emergency waivers of certain federal and state fuel standards. On August 30th, EPA granted waivers applying to low sulfur diesel fuel requirements, Reid Vapor Pressure (RVP) standards that control the volatility of gasoline during the summer months, state gasoline sulfur limits, or reformulated gas (RFG) requirements. On September 21st, EPA expanded this effort in order to minimize potential fuel supply disruptions caused by Hurricane Rita. To address each fuel supply situation, waivers have been granted for various periods of time and have been applicable at the national, state or local level, to the extent necessary to alleviate the fuel supply disruption.

In taking these actions, EPA used a Clean Air Act waiver provision recently signed into law as part of the Energy Policy Act of 2005 signed into law this year. This provision authorizes the Administrator of EPA to temporarily waive fuel standards due to "extreme and unusual" circumstances "that are the result of a natural disaster, an Act of God, pipeline or refinery equipment failure, or another event that could not reasonably have been foreseen or prevented and not the lack of prudent planning" on the part of fuel suppliers.

Informing the Public

We view communication to the public, workers, and other agencies to be a critical component of our response effort. The Occupational Health and Safety Administration (OSHA) was on-scene early in the response effort, distributing over 3,500 fact sheets by hand in the first two weeks and conducting interventions that removed more than 850 workers from serious or life threatening hazards. OSHA continues these activities and on a daily basis, EPA response personnel and contractors receive health and safety instructions regarding field conditions and safe work practices. EPA's preliminary sampling results are also provided to On-Scene Coordinators to facilitate field decisions and ensure health and safety of workers.

EPA posts advisories on our website and also distributes them through the Incident Command Post in Baton Rouge. We also have been alerting communities through AM and FM radio broadcasts, particularly on aerial mosquito spraying and how to avoid vector borne illnesses such as the West Nile Virus.

Future Challenges

Looking ahead, much remains to be done to help address the public health and environmental impacts of Hurricane Katrina. The safe management of debris remains a high immediate priority, and the Agency will assist our federal, state and local partners as they move forward on debris removal. For its part, the Agency will strive to provide sound and practical advice, participate in hazardous waste removal where appropriate, and monitor air quality where open burning is occurring. EPA will also continue to work with the USACE and others to support the States and local governments in their efforts to repair and restore public facilities

including drinking water, waste water, and waste treatment facilities. We will also continue to monitor air, water, and sediment quality in the region and make sure that this information is readily available to federal, state and local officials, other responders, and the public.

Conclusion

The nation faces an enormous task in restoring and rebuilding the affected areas. Simply meeting many basic needs of people in the region – including shelter, safe drinking water, sanitation, and protection from disease and hazards – will require a broad partnership across government agencies, the private sector and nongovernmental organizations (NGOs). We expect that citizens and government agencies will look to EPA and our Federal partners for technical expertise, scientifically sound data, and practical advice on environmental and public health conditions in the region for some time to come. We are focused on meeting that challenge.

Finally, as local communities undertake the task of reviving their economies and helping businesses restart their operations, EPA, in partnership with other federal, state, and local agencies, will provide technical expertise and guidance to assist in the recovery. Some of you may know that I'm quite new to the EPA, but what I've seen in the past month makes me proud to be counted among them.

At this time I welcome any questions you may have.